

SENATE BILL 579

By Burks

AN ACT to amend Tennessee Code Annotated, Section 37-1-131, relative to requiring notification regarding school attendance of certain delinquent juveniles.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 37-1-131(a)(2), is amended by deleting that subdivision in its entirety and by substituting instead the following:

(2) Placing the child on probation under the supervision of the probation officer of the court or the department of children's services, or any person, persons or agencies designated by the court, or the court of another state as provided in § 37-1-143, under conditions and limitations the court prescribes. If the adjudication of delinquency was for an offense involving any criminal homicide as defined in § 39-13-201, rape, aggravated rape, rape of a child, aggravated robbery, especially aggravated robbery, kidnapping, aggravated kidnapping, especially aggravated kidnapping, aggravated assault, or felony reckless endangerment, and if school attendance is a condition of probation, or if the child is to be placed in the custody of a state agency and is to be placed in school by a state agency or by a contractor of the state agency, the court shall order the department of children's services to notify county and municipal law enforcement agencies having jurisdiction over the school in which the child will be enrolled, the principal of the school, and the director of schools for the school system in which the child will be enrolled. The notice shall be in writing, sent via certified mail and facsimile transmission, and shall contain the nature of the offense and probation requirements, if any. The notice shall be provided within five (5) days of the order or before the child resumes or begins school attendance, whichever occurs first. Notification in writing of the nature of the offense committed by the child and any probation requirements shall not become a part of the

child's student record. Failure to send the notice in a timely manner may be punished as a contempt of court. The information contained in the notice shall be kept reasonably confidential by the parties receiving it.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.